

From:

WJWagner

Re: Groundwater Use Restriction
GIS Registry Data

Site Name/Address:

TE BEEST AUTOMOTIVE

110 MADISON STREET

BEAVER DAM WI 53916

BRRTS #:

03-14-152895

Date of Closure Decision:

August 14 2001

GPS data:

Y/N- Off-site Contamination

Y/N- Right-of-way Contamination

Packet Contains:

- ☒ FINAL Closure Letter January 11, 2002
- ☒ CONDITIONAL closure letter August 18, 2001
- ☒ All property deeds with 140 ES exceedances
- ☒ Groundwater Use Restriction 12/30/01 ^{Exhibit 1}
- ☒ Metes/bounds legal description (certified survey) ^{Property Deed}
- ☒ Tax parcel number ^{GW Use Reg}
- ☐ GPS data for each affected property
- ☒ General location map ^{Figure 1}
- ☒ Detailed location map, showing all parcels affected by 140 ES exceedances, property boundaries, buildings, etc. ^{Figure 5}
- ☐ Latest map showing gw flow direction, MW, potable wells. ^{[optional: Isoconcentration maps of compounds => ES] Figure 5}
- ☒ Latest map showing extent or outline of contamination plume and gw flow direction
- ☒ Latest table of analytical results
- ☐ Geologic cross section



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary
Ruthe E. Badger, Regional Director

South Central Region Headquarters
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711-5397
Telephone 608-275-3266
FAX 608-275-3338
TTY 608-275-3231

January 11, 2002

File Ref: 03-14-152895

Ms Phyllis TeBeest
713 West Lincoln Street
Waupun WI 53963

Subject: Final Closure, TeBeest Automotive, 1110 Madison Street, Beaver Dam

Dear Ms. TeBeest:

On August 14, 2001, the South Central Region Closure Committee reviewed your request for closure of the case described above. The site was to be closed under s. NR 726.05, Wisconsin Administrative Code, when the following conditions were addressed:

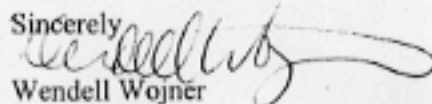
1. MONITORING WELL ABANDONMENT On December 13, 2001 the abandonment forms for the monitoring wells were received. This action satisfies this condition for the site closure requirements.
2. WASTE AND SOIL PILE REMOVAL On December 13, 2001 a statement was received from AES consultants that described the removal of soil cuttings and contaminated soil. This action satisfies this condition for the site closure requirements.
3. GROUNDWATER USE RESTRICTION On January 7, 2002 a photocopy of the Groundwater Use Restriction that was filed at the Dodge County Register of Deeds was received. This action satisfies this condition for the site closure requirements.

Based on the correspondence and data provided, it appears that your site has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

State Statute 101.143 requires that PECFA claimants seeking reimbursement of interest costs, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

If you have any questions regarding this letter, please contact me at the address listed above or as indicated below.

Sincerely,

Wendell Wojner
(608) 275-3297



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor
Darrell Bazzell, Secretary
Ruthe E. Badger, Regional Director

Horicon Service Center
N7725 STH 28
Horicon, Wisconsin 53032
Telephone 920-387-7860
FAX 920-387-7888

August 15, 2001

Ms. Phyllis TeBeest
713 West Lincoln Street
Waupun, WI 53963

Subject: Conditional Case Closure
TeBeest Automotive, 1110 Madison Street, Beaver Dam, Wisconsin
WDNR BRRTS # 03-14-152895

Dear Ms. TeBeest:

On August 14, 2001, your request for closure of the case described above was reviewed by the South Central Region Closure Committee. This committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the Closure Committee has determined that the petroleum contamination on the site from the former 1,000 gallon leaded and former 1,000 gallon unleaded gasoline underground storage tanks appears to have been investigated and remediated to the extent practicable under site conditions. Your case will be closed under s. NR 726.05, Wis. Adm. Code, if the following conditions are satisfied:

MONITORING WELL ABANDONMENT

The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code, unless long term groundwater monitoring is going to be conducted. If monitoring wells will not be immediately abandoned because you do not file a groundwater use restriction and future groundwater monitoring is planned, you will need to notify me of your monitoring plans in order to qualify for case closure. Documentation of well abandonment must be submitted to me on Form 3300-5B found at www.dnr.state.wi.us/org/water/dgw/gw/ or provided by the Department of Natural Resources.

WASTE AND SOIL PILE REMOVAL

Any remaining waste and/or soil piles generated as part of site investigation or remediation activities must be removed from the site and disposed of or treated in accordance with Department of Natural Resources' rules. Please send a letter advising me that any remaining waste and/or soil piles have been removed once that work is completed.

GROUNDWATER USE RESTRICTION

Section NR 726.05(2)(b), Wis. Adm. Code, provides that if groundwater contamination still exceeds NR 140 enforcement standards when a closure request is submitted, a case may only be closed if a groundwater use restriction is recorded for each property where enforcement standards are exceeded. Therefore, recording the required groundwater use restriction is an option that the Department of Natural

Resources can offer to you in order to close this case. If you choose not to accept this option, you may be required to conduct additional groundwater monitoring using existing or additional monitoring wells and may choose to perform additional investigation and cleanup of the remaining contamination in order to qualify for unconditional closure. However, you should note that additional investigation or cleanup work may not be eligible for reimbursement from the Petroleum Environmental Cleanup Fund Award (PECFA) Program. You should contact the Department of Commerce to determine if the additional work will be eligible for reimbursement.

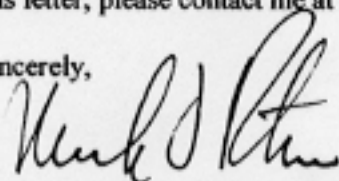
I will prepare a draft groundwater use restriction and have it reviewed by Department legal counsel. I need a copy of your property deed to prepare the groundwater use restriction, so please send me a copy of the deed. When the Department review is completed, I will send the draft groundwater use restriction to you. You should sign it if you own the property, or have the appropriate property owner sign it, and have it recorded at the Dodge County Register of Deeds Office, and then submit a copy of the recorded document to me. Please be aware that if a groundwater use restriction is recorded for the wrong property because of an inaccurate legal description that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office to correct the problem.

When the above conditions have been satisfied, please submit a letter to let me know that applicable conditions have been met, and your case will be closed.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the number shown below.

Sincerely,



Mark F. Putra, Hydrogeologist
Bureau for Remediation & Redevelopment
Telephone: (920) 387-7867
Putram@dnr.state.wi.us

cc: Jake Saeger, AES Ltd., 1009 Washington St., Grafton, WI 53024

TRANSFER

DOCUMENT NO.

FEE

150.00 N

VOL. 816 PAGE 763

STATE BAR OF WISCONSIN FORM 1 - 1982
WARRANTY DEED

794530

THIS SPACE RESERVED FOR RECORDING DATA

EXHIBIT 1

Office of Register of Deeds
Dodge County, WI
RECEIVED FOR RECORD

JUN 6 1994

at 9:28 o'clock A.M.

DORIS WESTRA - Registrar

This Deed, made between ALBERTA FALBE, a
single person, ASSIGNEE OF ELMER FALBE,
deceased
Grantor,
and PHYLLIS TE BEEST

Grantee,
Witnesseth, That the said Grantor, for a valuable consideration.....
Fifty Thousand and no/100----(\$50,000.00)----
conveys to Grantee the following described real estate in Dodge
County, State of Wisconsin:

A part of the North East 1/4 of the North
West 1/4 of Section Eight (8), Township
Eleven (11) North, of Range Fourteen (14)
East, Town of Beaver Dam, Dodge County,
Wisconsin, described as follows, to-wit:
Commencing at the North 1/4 of said Section Eight (8); thence North
89 degrees 57 minutes 52 seconds West, 42.96 feet to the Westerly
right-of-way line of Madison Street; thence South 32 degrees 00 minutes
23 seconds West, along said Westerly right-of-way line, a distance of
123.60 feet, to the point of beginning; thence continuing South 32
degrees 00 minutes 23 seconds West, along said Westerly right-of-way
line, a distance of 58.40 feet; thence North 57 degrees 59 minutes 37
seconds West, a distance of 130.00 feet; thence North 41 degrees 53 minutes 27
seconds East, a distance of 59.51 feet to a point; thence South 57 degrees 53 minutes
10 seconds East, a distance of 119.79 feet to the point of beginning. Subject to
and together with the Easement Agreements as recorded in Volume 584 of Records, on
pages 326 and 328 in the Office of the Register of Deeds, Dodge County, Wisconsin.
Together with a Well Agreement and Use of Septic Holding Tanks as recorded in Volume
584 of Records on page 330, in said Register's Office.

Tax Parcel No:

RETURN TO
Atty. Richard W. Steffes
P. O. Box 717
Beaver Dam, WI 53916

THIS DEED IS GIVEN IN FULFILLMENT OF ORIGINAL LAND CONTRACT DATED MAY 30, 1984 AND
RECORDED JUNE 4, 1984 IN VOL. 584, PAGES 792-794 AS DOCUMENT NO. 668049

This is not
(is) (is not) homestead property.

Together with all and singular the hereditaments and appurtenances thereunto belonging;
And GRANTOR

warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except
municipal and zoning ordinances and agreements entered under them,
recorded easements for the distribution of utility and municipal services,
recorded building and use restrictions and covenants
and will warrant and defend the same.

Dated this 2nd day of June, 1994

(SEAL)

Alberta Falbe (SEAL)

Alberta Falbe

(SEAL)

(SEAL)

AUTHENTICATION

Signature of Alberta Falbe

authenticated this 2nd day of June, 1994

Richard W. Steffes

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not,
authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Atty. Richard W. Steffes

(Signatures may be authenticated or acknowledged. Both
are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN

County.

Personally came before me this day of
19 the above named

to me known to be the person who executed the
foregoing instrument and acknowledge the same.

Notary Public County, Wis.
My Commission is permanent. (If not, state expiration
date: 19.....)

*Names of persons signing in any capacity should be typed or printed below their signatures.

946333

Document Number

VOL 1199 PAGE 401

GROUNDWATER USE RESTRICTION

Declaration of Restrictions

In Re: The property described in the attached Exhibit 1,
which is hereby made a part of this restriction.

STATE OF WISCONSIN)
) ss
COUNTY OF Dodge)

Office of Register of Deeds
Dodge County, WI
RECEIVED FOR RECORD

DEC 20 2001

at 1:36 o'clock P M.

Chris Planasch
CHRIS PLANASCH - Registrar

Recording AreaName and Return Address

PHYLLIS TeBEEST
713 W LINCOLN ST
WAUPON, WI 53963

WHEREAS, Phyllis TeBeest is the owner of the above-
described property.

* 004-1114-0821-001

Parcel Identification Number (PIN)

WHEREAS, one or more petroleum discharges have occurred on this property. Benzene and toluene-contaminated groundwater above ch. NR 140, Wisconsin Administrative Code, enforcement standards existed on this property at Monitoring well MW-1 on April 5, 2001: benzene at 891 parts per billion (ppb) and toluene at 2,700 ppb groundwater contamination was found in the groundwater sampled from MW-1. Exhibit 2 shows a map of the area for the residual contamination prepared by AES Consultants LTD. This is attached hereto and made a part hereof

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140, Wis. Adm. Code, groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809, Wis. Adm. Code, is restricted by chs. NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 20 day of December, 2001.

Signature: Phyllis Te Beest
Printed Name: Phyllis Te Beest

Subscribed and sworn to before me
this 20th day of DECEMBER, 2001.

Margie A. Tye
Notary Public, State of WIS.
My commission EXPIRES 11/14/04.

This document was drafted by the Department of Natural Resources.

CORRESPONDENCE/MEMORANDUM

State of Wisconsin

DATE: August 8, 2001
TO: SCR Close Out Committee
FROM: Mark F. Putra

FILE REF: 03-14-152895

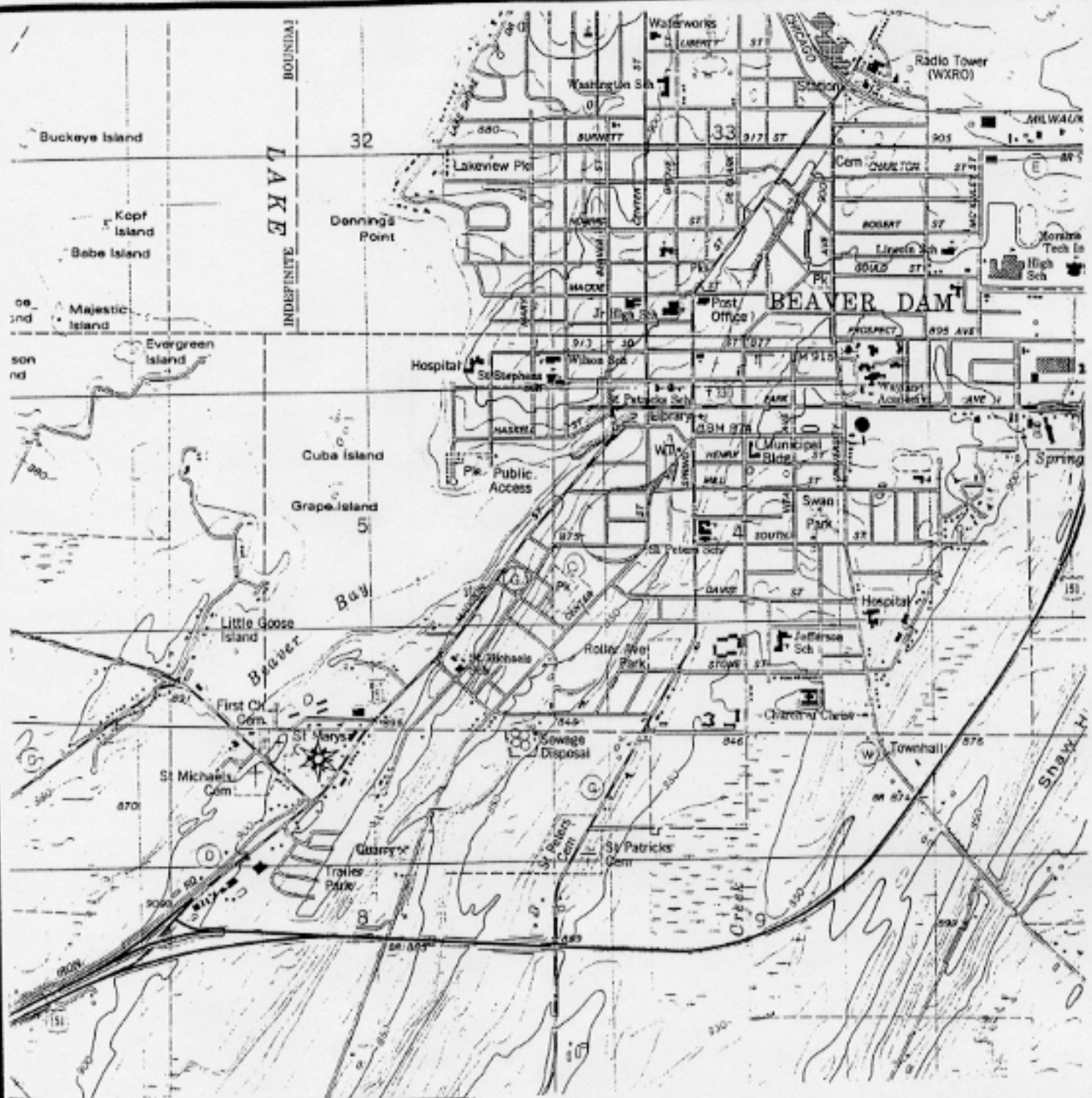
SUBJECT: TeBeest Automotive, 1110 Madison Street, Beaver Dam 53916

The property is the site of a former gas station. A 1,000 gallon unleaded gasoline and a 1,000 leaded gasoline were removed in the mid 1980's. The tanks were located near B2 and so was the soil contamination. The depth to GW varies but generally it is 6-8 feet bgs and it flows north to Beaver Dam Lake. A water supply well on the adjacent property was sampled and was ND for VOCs, but no construction report was available for the well. In 6/98 310 tons of soil were excavated. Confirmation samples met the NR 720 RCLs. MW1 was the only MW >ES before the excavation. Post excavation GW samples from MW1 show a decrease in contaminants, but not as much as expected. Given the location of MW1, adjacent the excavation, I questioned them about whether they excavated around MW1. They assured me that they redrilled well, so that's not the explanation. Nonetheless, I recommend closing with a groundwater use restriction.

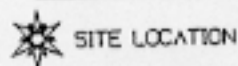
Mark F. Putra 8/14/01

Stephen M. Ales 8/14/01

James J. Dine 8/14/01



LEGEND:



SITE LOCATION

SOURCE:

USGS, 7.5 MINUTE SERIES
TOPOGRAPHIC MAP - BEAVER DAM
QUADRANGLE, 1976



FIGURE 1

SITE LOCATION

TE BEEST AUTOMOTIVE
BEAVER DAM, WISCONSIN

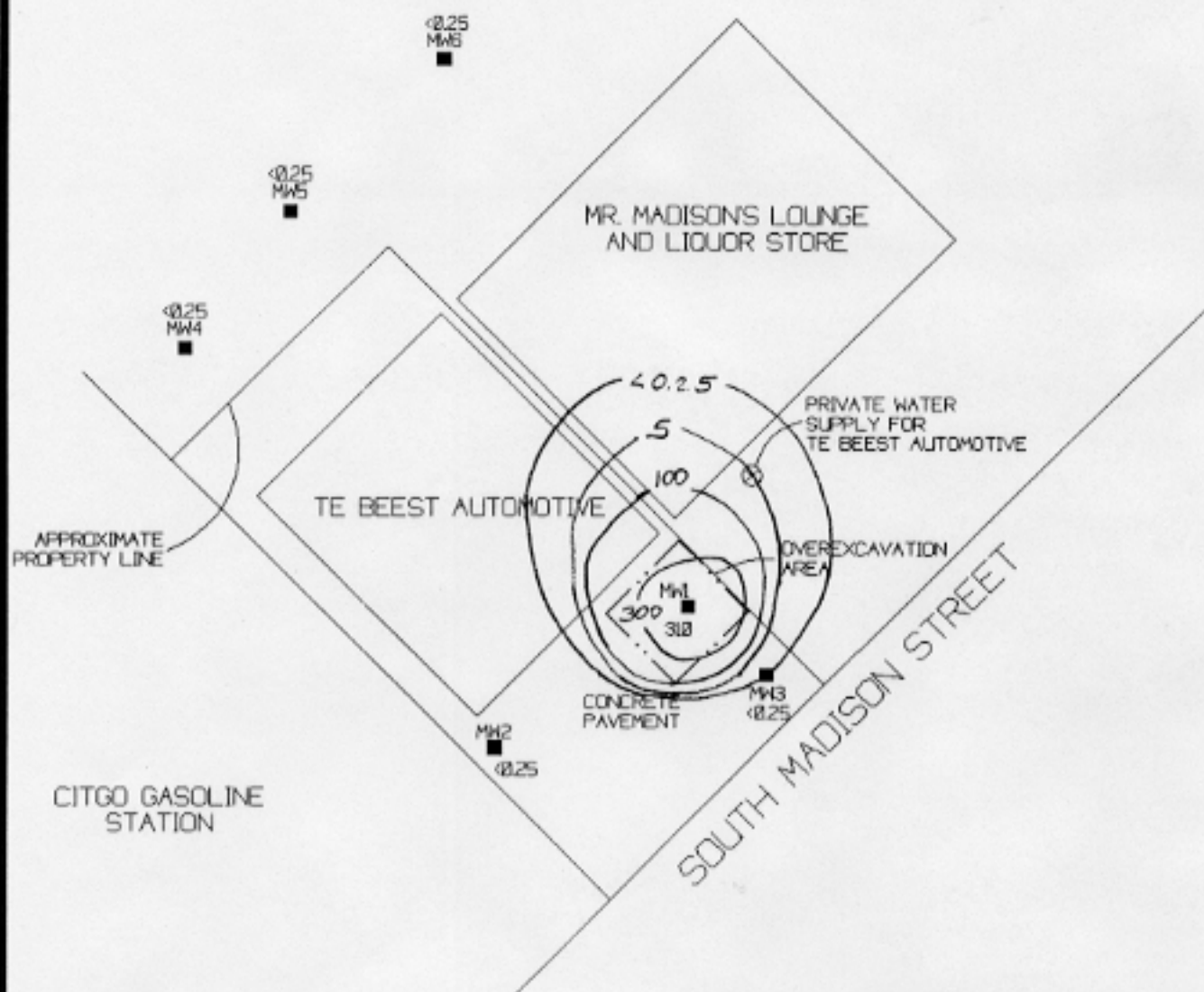
JOB NUMBER 97042

DWG FILE NAME 97042SL

SCALE: 1" = 2000' DATE: SEPTEMBER 15, 1997

AES CONSULTANTS, LTD.

BY: KS



LEGEND

■ MONITORING WELL
300 - BENZENE CONCENTRATION (ug/l)



FIGURE 5

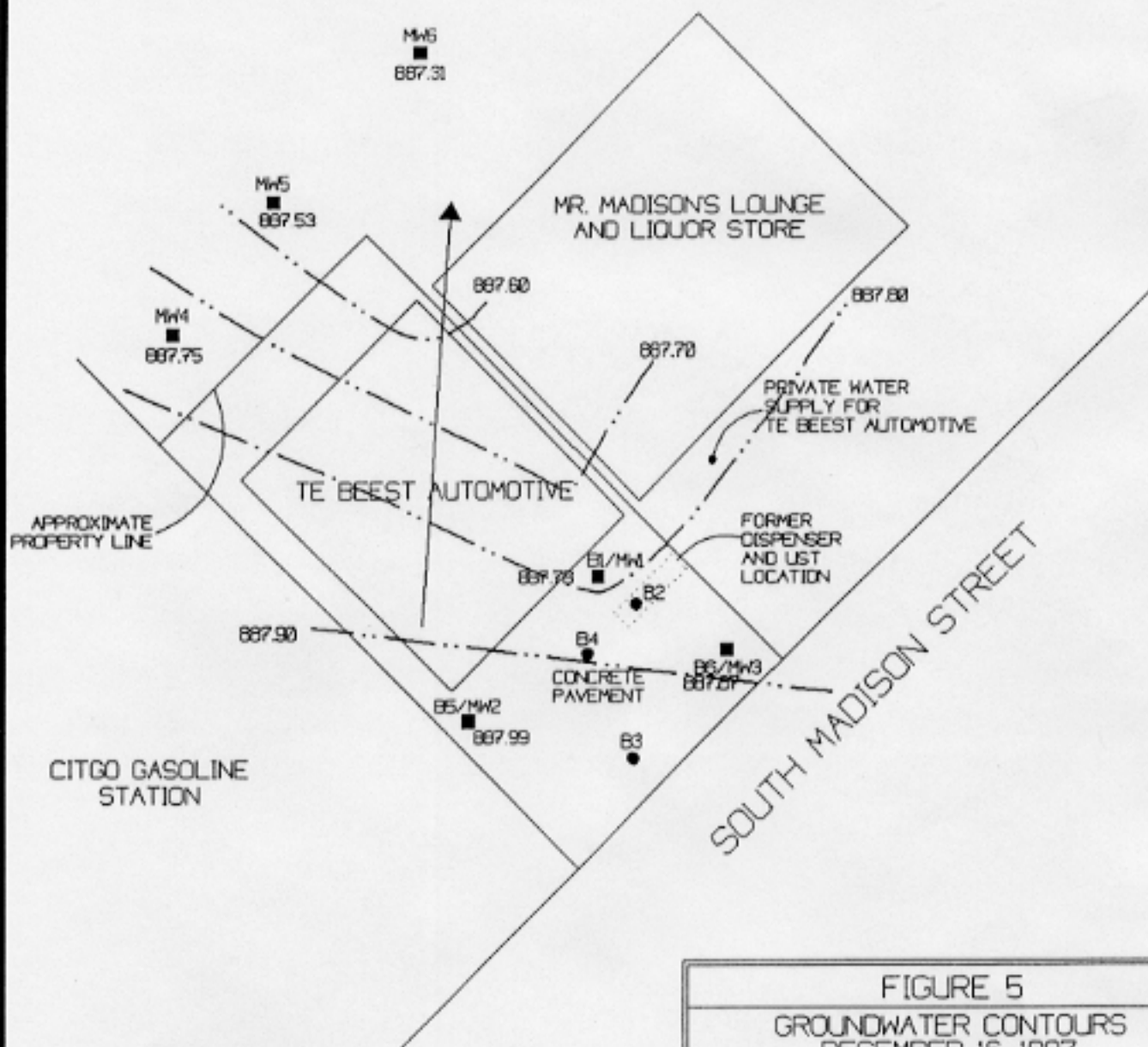
GROUNDWATER BENZENE CONCENTRATIONS
(JULY 27, 1999)

TE BEEST AUTOMOTIVE
BEAVER DAM, WISCONSIN

JOB NUMBER 97042 | DWG FILE NAME 97042EB

SCALE: 1" = 40' | DATE: AUGUST 10, 1999

AES CONSULTANTS, LTD. | BY: KS



LEGEND

- SOIL BORING
- MONITORING WELL
- GROUNDWATER FLOW DIRECTION
- 887.78 ——— GROUNDWATER CONTOUR



FIGURE 5

GROUNDWATER CONTOURS DECEMBER 16, 1997

TE BEEST AUTOMOTIVE
BEAVER DAM, WISCONSIN

JOB NUMBER 97042

DWG FILE NAME 970420C

SCALE: 1" = 40'

DATE: JANUARY 16, 1998

AES CONSULTANTS, LTD.

BY: KS

Table
Groundwater Analytical Result Summary
 (Investigation and Remediation Results)
 TeeBee Auto, Beaver Dam, WI

Parameter	Date	PAL	ES	MW-1	MW-2	MW-3	MW-4	MW-5	MW-6	MW-7
Benzene	9/30/97	0.5	5	1,000	<0.41	<0.41	ns	ns	ns	ns
	12/16/97			210	<0.16	<0.16	<0.16	<0.16	ns	ns
	12/18/97			ns	ns	ns	ns	ns	<0.16	ns
	8/17/98			1,900	<0.2	<0.2	<0.2	<0.2	<0.2	ns
	11/9/98			1,000	<0.2	<0.2	<0.2	<0.2	<0.2	ns
	3/1/99			1,700	<0.32	<0.32	<0.32	<0.32	<0.32	ns
	7/27/99			310	<0.25	<0.25	<0.25	<0.25	<0.25	ns
	8/17/99			ns	ns	ns	ns	ns	ns	<0.32
	4/5/01			891	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	9/30/97	140	700	1,400	<0.23	<0.23	ns	ns	ns	ns
	12/16/97			1,100	<0.29	<0.29	<0.29	<0.29	ns	ns
	12/18/97			ns	ns	ns	ns	ns	<0.29	ns
	8/17/98			780	<0.30	<0.30	<0.30	<0.30	<0.30	ns
	11/9/98			1,500	<0.30	<0.30	<0.30	<0.30	<0.30	ns
	3/1/99			580	<0.34	<0.34	<0.34	<0.34	<0.34	ns
	7/27/99			170	<0.32	<0.32	<0.32	<0.32	<0.32	ns
	8/17/99			ns	ns	ns	ns	ns	ns	<0.34
	4/5/01			299	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
MTBE	9/30/97	12	60	<26	<0.53	<0.53	ns	ns	ns	ns
	12/16/97			13	<0.20	<0.20	<0.20	<0.20	ns	ns
	12/18/97			ns	ns	ns	ns	ns	<0.20	ns
	8/17/98			70	<0.20	<0.20	<0.20	<0.20	<0.20	ns
	11/9/98			<20	<0.20	<0.20	<0.20	<0.20	<0.20	ns
	3/1/99			40	<0.31	<0.31	<0.31	<0.31	<0.31	ns
	7/27/99			<4.2	<0.21	<0.21	<0.21	<0.21	<0.21	ns
	8/17/99			ns	ns	ns	ns	ns	ns	<0.31
	4/5/01			1.94	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2
Toluene	9/30/97	200	1,000	4,600	<0.28	<0.28	ns	ns	ns	ns
	12/16/97			260	<0.26	<0.36	<0.36	<0.36	ns	ns
	12/18/97			ns	ns	ns	ns	ns	<0.36	ns
	8/17/98			5,300	1.0	<0.20	1.1	<0.2	<0.2	ns
	11/9/98			3,600	<0.20	<0.20	<0.20	<0.20	<0.20	ns
	3/1/99			5,000	<0.35	<0.35	<0.35	<0.35	<0.35	ns
	7/27/99			290	<0.38	<0.38	<0.38	<0.38	<0.38	ns
	8/17/99			ns	ns	ns	ns	ns	ns	<0.35
	4/5/01			2,700	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Xylenes	9/30/97	1,000	10,000	4,000	<0.79	<0.79	ns	ns	ns	ns
	12/16/97			1,800	<1.15	<1.15	<1.15	<1.15	ns	ns
	12/18/97			ns	ns	ns	ns	ns	<1.15	ns
	8/17/98			7,200	<0.90	<0.90	<0.90	<0.90	<0.90	ns
	11/9/98			6,800	<0.90	<0.90	<0.90	<0.90	<0.90	ns
	3/1/99			2,300	<1.0	<1.0	<1.0	<1.0	<1.0	ns
	7/27/99			327	<1.04	<1.04	<1.04	<1.04	<1.04	ns
	8/17/99			ns	ns	ns	ns	ns	ns	<1
	4/5/01			868	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5

Notes:

ns= Well Not Sampled or Installed

All Units are listed in Micrograms per Liter (ug/L)

NR 140 ES = WDNR WAC NR 140 Enforcement Standards

NR 140 PAL = WDNR WAC NR 140 Preventive Action Limits

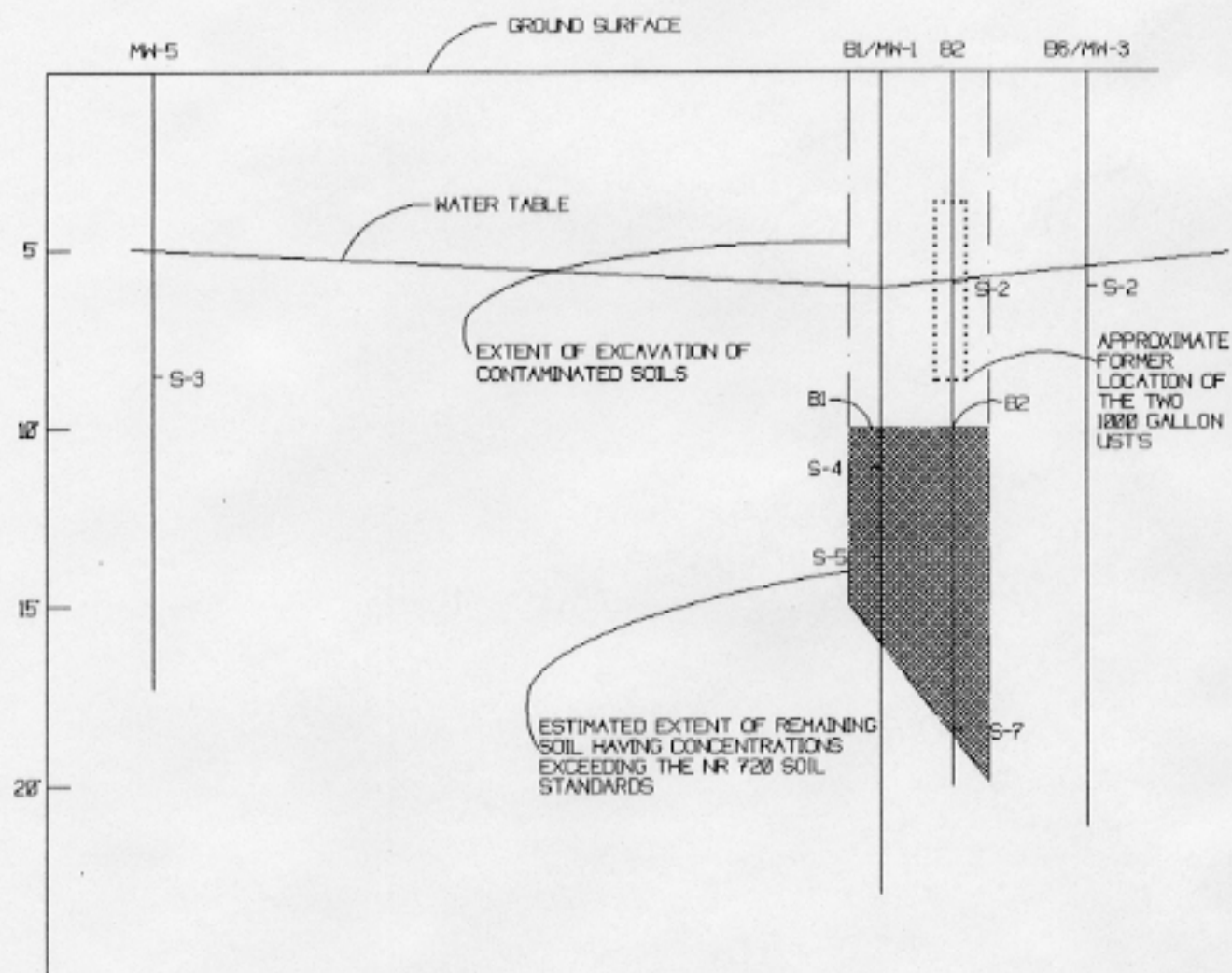
Bold = Enforcement Standard Exceedance

Italicized = Preventive Action Limit Standard Exceedance

< = Less than Laboratory Detection Limit at Value Given

Note 1:

In the year 2000, the ES for Toluene was increased from 343 ug/l to 1,000 ug/l and the PAL was increased from 68.6 ug/l to 200 ug/l. In the year 2000, the ES for Total Xylenes was increased from 620 ug/l to 10,000 ug/l and the PAL was increased from 124 ug/l to 1,000 ug/l.



NOTES

1. SOIL SAMPLES S-2, S-3, ETC. ARE PRE-REMEDIAL SITE INVESTIGATION SAMPLES.
2. SOIL SAMPLES B1 AND B2 ARE POST-REMEDIAL SAMPLES.

FIGURE 7

POST-REMEDIAL CROSS SECTION

TE BEEST AUTOMOTIVE
BEAVER DAM, WISCONSIN

JOB NUMBER 97042

DWG FILE NAME 97042CS2

HOR. SCALE: 1" = 30'

VERT. SCALE: 1" = 5'

DATE: MAY 24, 2001

AES CONSULTANTS, LTD.

BY: KS